

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

JOANNE BLECK,)	
)	
Plaintiff,)	Case No. 1:08-cv-01992
v.)	
)	
BAXTER HEALTHCARE)	
CORPORATION,)	
)	JURY DEMAND
Defendant.)	

EXHIBIT A

To Complaint

- Charge of Discrimination
- Attachment to EEOC Charge
- Notice of Right to Sue

CHARGE OF DISCRIMINATION		Charge Presented To: _____ Agency(ies) Charge No(s): _____	
This form is affected by the Privacy Act. See enclosed Privacy Act Statement and other information before completing this form.		<input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC	
Name (Indicate Mr., Ms., Mrs.) Ms. Joanne M. Bleck		State or local Agency, if any _____ and EEOC	
Street Address 511 Broadway Street		City, State and ZIP Code Libertyville, IL 60048	
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two are named, list under PARTICULARS below.)			
Name Baxter Healthcare Corp.		No. Employees, Members 50+	Phone No. with Area Code
Street Address One Baxter Parkway		City, State and ZIP Code Deerfield, IL 60015	
Name		No. Employees, Members	Phone No. with Area Code
Street Address		City, State and ZIP Code	
DISCRIMINATION BASED ON (Check appropriate box(es)) <input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input checked="" type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (Specify below)		DATE(S) DISCRIMINATION TOOK PLACE Earliest _____ Latest _____ <input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): See Attached.			
<div style="border: 1px solid black; padding: 10px; margin: 10px auto; width: 80%;"> <p style="font-size: 1.5em; margin: 0;">RECEIVED EEOC</p> <p style="margin: 0;">SEP 04 2008</p> <p style="font-size: 1.2em; margin: 0;">CHICAGO DISTRICT OFFICE</p> </div>			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - when necessary for State and local Agencies _____	
I declare under penalty of perjury that the above is true and correct.		I swear or affirm that I have read this charge and what it contains to the best of my knowledge, information and belief.	
Date 9/4/07 <u>Joanne M. Bleck</u> Charging Party Signature		SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE	

ATTACHMENT TO EEOC CHARGE

1. I am a Female. I was employed at Baxter Healthcare Corporation ("Baxter") for 25 years. My last position with Baxter was as an Account Executive for Baxter's Renal Division.
2. I was the only female Account Executive in my region and in my area. I was also one of only a handful of female Account Executives that Baxter's Renal Division employed nationwide.
3. In August 2006, John Gibbons became my Regional Manager. While Gibbons was my Manager, he treated me differently than he treated male Account Executives. Among other things, Gibbons held me to higher sales standard than male Account Executives. He also excluded me from meetings and key decisions affecting my accounts. He belittled and demeaned me in front of my colleagues and he tried to replace me as Account Executive with male Account Executives on accounts that are in my assigned territory.
4. Although I complained to Baxter's Human Resource Department about Gibbons' discriminatory treatment, nothing was done.
5. In early April 2007, Baxter terminated me. Baxter gave conflicting reasons for my termination. First, I was told that my sales figures were not high enough. Then, I was told that I was terminated because I had "skill gaps." Neither of these reasons makes sense. In my 25 years with Baxter, I was never told that I had perceived "skill gaps." Moreover, my sales figures were higher than similarly situated male Account Executives who were not terminated.
6. I believe the real reason that I was terminated was based on unlawful discrimination and/or because I complained about that discrimination.
7. A class of other similarly situated female employees has been and is being discriminated against because of their gender with respect to their terms and conditions of employment and by having been wrongfully discharged from their employment at Baxter. This charge of discrimination is being brought on behalf of a class of other similarly situated employees who likewise have been adversely discriminated against by Baxter.

RECEIVED EEOC

SEP 14 2007

CHICAGO DISTRICT OFC

EEOC Form 161-B (3/98)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Joanne M. Bleck
511 Broadway Street
Libertyville, IL 60048

From: Chicago District Office
500 West Madison St
Suite 2800
Chicago, IL 60661

CERTIFIED MAIL 7099 3400 0010 0015 7000



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

440-2007-07715

Janel Smith,
Investigator

(312) 353-9194

(See also the additional information enclosed with this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964 and/or the Americans with Disabilities Act (ADA): This is your Notice of Right to Sue, issued under Title VII and/or the ADA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII or the ADA **must be filed in a federal or state court WITHIN 90 DAYS of your receipt of this notice;** or your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)



More than 180 days have passed since the filing of this charge.



Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of this charge.



The EEOC is terminating its processing of this charge.



The EEOC will continue to process this charge.

Age Discrimination in Employment Act (ADEA): You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, **the paragraph marked below applies to your case:**



The EEOC is closing your case. Therefore, your lawsuit under the ADEA **must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice.** Otherwise, your right to sue based on the above-numbered charge will be lost.

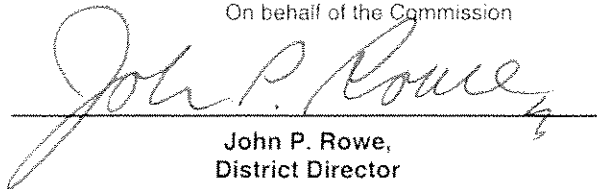


The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of the charge, you may file suit in federal or state court under the ADEA at this time.

Equal Pay Act (EPA): You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission


John P. Rowe,
District Director


(Date Mailed)

Enclosures(s)

cc: BAXTER HEALTH CARE CORPORATION